

ASSEMBLY BILL

No. 2321

Introduced by Assembly Member Nava

February 19, 2010

An act to amend Section 66427.5 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 2321, as introduced, Nava. Land use: subdivisions: mobilehome parks.

The Subdivision Map Act requires a subdivider, at the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental mobilehome park to resident ownership, to avoid the economic displacement of nonpurchasing residents, as specified.

This bill would make a technical, nonsubstantive change to that law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 66427.5 of the Government Code is
- 2 amended to read:
- 3 66427.5. At the time of filing a tentative or parcel map for a
- 4 subdivision to be created from the conversion of a rental
- 5 mobilehome park to resident ownership, the subdivider shall avoid
- 6 the economic displacement of all nonpurchasing residents in the
- 7 following manner:
- 8 (a) The subdivider shall offer each existing tenant an option to
- 9 either purchase his or her condominium or subdivided unit, which

1 is to be created by the conversion of the park to resident ownership,
2 or to continue residency as a tenant.

3 (b) The subdivider shall file a report on the impact of the
4 conversion upon residents of the mobilehome park to be converted
5 to ~~resident-owned~~ *resident-owned* subdivided interest.

6 (c) The subdivider shall make a copy of the report available to
7 each resident of the mobilehome park at least 15 days prior to the
8 hearing on the map by the advisory agency ~~or~~, if there is no
9 advisory agency, by the legislative body.

10 (d) (1) The subdivider shall obtain a survey of support of *the*
11 residents of the mobilehome park for the proposed conversion.

12 (2) The survey of support shall be conducted in accordance with
13 an agreement between the subdivider and a resident homeowners'
14 association, if any, that is independent of the subdivider or
15 mobilehome park owner.

16 (3) The survey shall be obtained pursuant to a written ballot.

17 (4) The survey shall be conducted so that each occupied
18 mobilehome space has one vote.

19 (5) The results of the survey shall be submitted to the local
20 agency upon the filing of the tentative or parcel map, to be
21 considered as part of the subdivision map hearing prescribed by
22 subdivision (e).

23 (e) The subdivider shall be subject to a hearing by a legislative
24 body or advisory agency, which is authorized by local ordinance
25 to approve, conditionally approve, or disapprove the map. The
26 scope of the hearing shall be limited to the issue of compliance
27 with this section.

28 (f) The subdivider shall be required to avoid the economic
29 displacement of all nonpurchasing residents in accordance with
30 the following:

31 (1) As to nonpurchasing residents who are not lower income
32 households, as defined in Section 50079.5 of the Health and Safety
33 Code, the monthly rent, including any applicable fees or charges
34 for use of any preconversion amenities, may increase from the
35 preconversion rent to market levels, as defined in an appraisal
36 conducted in accordance with nationally recognized professional
37 appraisal standards, in equal annual increases over a four-year
38 period.

39 (2) As to nonpurchasing residents who are lower income
40 households, as defined in Section 50079.5 of the Health and Safety

1 Code, the monthly rent, including any applicable fees or charges
2 for use of any preconversion amenities, may increase from the
3 preconversion rent by an amount equal to the average monthly
4 increase in rent in the four years immediately preceding the
5 conversion, except that in no event shall the monthly rent be
6 increased by an amount greater than the average monthly
7 percentage increase in the Consumer Price Index for the most
8 recently reported period.

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